E/CONF.39/A/155
23 Oct.1962
ORIGINAL : ENGLISH

UNITED NATIONS CONFERENCE
ON THE APPLICATION OF SCIENCE AND TECHNOLOGY
FOR THE BENEFIT OF THE LESS DEVELOPED AREAS

Agenda Item: A.3.1.3

Turkey

ADAPTATION OF WATER LAWS OF TURKEY TO CHANGING CONDITIONS AND HER BILATERAL AGREEMENTS ON INTERNATIONAL STREAMS

By Nazmi KARATEKIN, M.S.,
Chairman of the Board
of Advisers and Auditors,
Directorate General
of State Hydraulic Works,
Ministry of Public Works,
Ankara, Turkey

Orhan AKYÜREK, M.S.,
Consultant, Directorate General
of State Hydraulic Works,
Ministry of Public Works,
Ankara, Turkey

Papers have been contributed to the United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas as working papers for that Conference. They are published as presented by the contributors, and the contents and the views expressed are those of the contributors. (See notes overleaf.)

NOTES

1. Papers selected for inclusion in General Sessions will be available at the Conference in the following official languages of the United Nations: English, French, Russian and Spanish.

2. Papers selected for inclusion in Specialized Sessions will be available at the Conference in only one of the above official languages.

3. Summaries of all papers, as submitted by contributors, will be available at the Conference in the following official languages of the United Nations: English, French, Russian and Spanish.

4. Papers and summaries will not be available for general distribution in advance of the Conference. They will be published in advance in limited quantities only for the use of delegations of participating governments and of other authorized participants. Post-Conference publication and general distribution of the Conference Proceedings will follow United Nations practices as laid down by the United Nations Publications Board.

ADAPTATION OF WATER LAWS OF TURKEY TO CHANGING CONDITIONS AND HER BILATERAL AGREEMENTS ON INTERNATIONAL STREAMS

by

Nazmi KARATEKİN, M.S., Chairman of the Board of Advisers and Auditors; Directorate General of State Hydraulic Works; Ministry of Public Works, Ankara, TURKEY

Orhan AKYÜREK, M.S., Consultant, Directorate General of State Hydraulic Works; Ministry of Public Works, Ankara, TURKEY

CONTENTS

	Paragraphs
A. INTRODUCTION	1 - 5
B. BASIC LEGAL CONCEPTS ON WATER RIGHTS	6
a) Right of the individual for self-preservation	7 - 10
b) Continuation of the race	11
c) Changes dictated by the process of evolution	12 - 13
C. OLD LAWS WHICH RETARD THE EFFICIENT DEVELOPMENT OF WATER RESOURCES	14
a) The expropriation Law	14 - 15
b) The article 679 of the turkish Civil Code on the ownership of springs	16 - 17
c) Old water rights	18 - 20
D. AFFECTED AND PROPOSED CHANGES IN THE LAWS OF TURKEY FOR FACILITATING SOCIAL AND ECONOMIC DEVELOPMENT	21
a) The new law on village water supplies	21 - 22
b) The new law on ground-waters	23 - 24
c) Amandment made to Article 679 of the Turkish Civil Code	25 - 26
d) Proposed laws for the development of water resources	27 - 30
E. AGREEMENTS ON INTERNATIONAL STREAMS	31
a) The article 109 of the Lausanne Treaty	31
b) Agreement with U.S.S.R. on the Arpaçay and Aras rivers	32 - 33
c) Agreement with Greece on the Meriç river	34 - 35
d) Protocol with Iran on the Sarısu river	36
e) Proposed Protocol with Syria on the Çağçağ stream	37 - 39
f) Proposed protocol with Syria on the Asi river	40 - 43
F. DEVELOPMENT POSSIBILITIES ON SOME INTERNATIONAL RIVERS	44
a) The Euphrates river	44 - 46
b) The Meriç river	47 - 49

A. INTRODUCTION

1. Before going into the subject matter of the paper it is deemed worthwhile to repeat here the aim of the Conférence, which consists of bringing together, comparing, and discussing various methods used in the present science and technology for providing fast economic development in underdeveloped countries, and bringing to the attention of the Governments those methods which are found to be applicable.

2. In this paper particular attention is given to some important legal provisions on water rights which are incompatible with the development of water resources under a modern policy and effective program, when it is desired to develop these resources which form one of the most important among the natural resources of Turkey. One such provision is contained in the Expropriation Law. It states that any source of water can not be expropriated in the name of the public interest. Another provision in the Turkish Civil Code considers water springs and ground-waters to be complementary parts of the land, and states that their ownership is transferred together with the ownership of the lands where they occur. A third obstacle consists of a great collection of documentation of ancient origin in the form of water rights and powers granted by Sultan's decrees, old court decisions and cadastral records belonging to the times of the old regimes dating as far back as the period of the Ottoman Empire, which are still in force. Another important obstacle is the lack of an agency with clearly defined authority to perform services in the regulation and control of the development of water resources and intervention in and adjustment of the disputes arising in connection with the development of the water resources.

3. This paper describes the changes already made or planned to be made in the laws and regulations of the country, how the above provisions and obstacles, which are unsuitable for a modern development policy, were changed or overcome, and discuses the resulting social and economic benefits.

4. There is also the question of the rivers in Turkey which form the common boundaries with the neighbouring countries, or whose upper courses lie in Turkey while their lower courses lie in other countries, or the other may around. Serious difficulties and problems are encountered in the development of these rivers because of the lack of an agreement with the country in question or the shortcomings of some of the existing agreements.

5. In order to prepare the background for the development of water resources according to scientific and technological principles in speeding up the economic development of the country, it is recommended that the public should be educated in this respect, personnel should be trained in sciencific and technological subjects, the legal authorities should show an understanding of the conceptions on the solution of the exigencies and the remedies, and finally, the politicians should defend these conceptions and make possible their going into effect by passing the legislation needed.

B. BASIC LEGAL CONCEPTS ON WATER RIGHTS

6. Before discussing the existing provisions in the laws of Turkey which are incompatible with the development of water resources in a modern way, it will be of special interest to study three universal laws that are inherent in the existence of all creatures. In nature these laws concern self-preservation, continuation of the species, and the changes brought about through the process of evolution.

(a) Rights of the individual for self-preservation

7. The strife for self-preservation derives its sources from the making of all creatures, It drives human beings to earn money, to look for food and shelter to protect their health, to provide rest for their bodies and minds , to struggle for success, and the last but not the least, to own material things including natural resources.

8. Water plays a vital part in the existence of life in all its forms. In the case of human existence it is needed to keep us alive, to keep us clean, to irrigate our crops. Besides being essential in some areas, irrigation provides in some cases times more crop in other areas if practiced. Water also serves to operate our flourmills and manufacturing plants.

9. Water being one of the most important needs for the self-preservation of the individual, it became also of equal importance for the families and villages which constitute the smallest unit in the social structure. Therefore , according to the law of self preservation, it is in the nature of human beings to struggle to acquire and keep the ownership of a source of water which gives him and his family, and his village the livelihood for which everyone strives.

10. It is believed that there are legal provisions in other countries as in ours which are established to protect the ownership of water resources by individuals or villages and which were born out of the conceptions and doctrines of the old times when the law of self-preservation of the individual prevailed without the controls and balances later introduced. These provisions of the other countries are probably similar to these in Turkey which are in the form of Sultans' decrees, very old court decisions and cadastral records, and the provisions in Article 679 of the Turkish Civil Code which assures that " water springs and ground-waters are complementary parts of the land, their ownershi is transferred together with the ownership of the land where they occur ."

(b)Continuation of the race

11. The law urging the human beings in the path of the continuation of the race is the second strongest after the law of self-preservation of the individual. It manifests itself in the attraction between the sexes, the desire to form families, and have offsprings. Everything stated with respect to the first law also holds true for this one. Therefore, the protection of the acquired rights of the individual and the urge for the self-preservation of the individual also indirectly serve the fulfilment of the requirements of the continuation of the race.

(c)Changes dictated by the process of evolution

12. As is well Known, the direction of the evolutionary process is away from egotism and toward altruism. The forces which help to create human society originate in the minds of individuals through evolutionary processes in the form of desire and ability to live together. The revelations of truths in the forms of inspirations that dawn upon some gifted individuals in human society eventually spread to produce changes in the texture of the society. These changes are as a matter of course aimed towards the advancements of human beings and the improvement of relations among them. This is a result which requires many years, but there is not slightest doubt that further advancement will continue to take place in this way as it did in the past.

13. The protection and continuation of acquired rights is only justifiable where the water resources are plentiful and in excess of the needs of the society. Where such conditions do not exist, in order to comply with the requirements and dictates of the process of evolution such rights which may exist should either be restricted or replaced by new ones which are in harmony with the principles for the development of water resources in a modern way. Under the above considerations it is believed that evolutionary process manifests itself in the workings of the present Congress, for which unlimited appreciation is due to its organizers.

C. OLD LAWS WHICH RETARD THE EFFICIENT DEVELOPMENT OF WATER RESOURCES.

(a) The Expropriation Law

14. There are many instances in Turkey where town and village are located close to each other and where the villages have an abundant source of water which is utilized for irrigation after meeting the drinking and household needs of the village, whereas on the other hand, the population living in the town suffers from the lack of adequate water supply to meet its normal requirements. In such cases, without the consent of the village people the municipality of the town is not able to utilise the excess water through expropriation because the Article 1 of the Expropriation Law No.6830 states that only the real-estates and sources of water which are privately owned may be

expropriated for projects involving the public benefit. In other words, water sources which are under the ownership of judicial persons or public institution cannot be expropriated.

15. The lawmakers have provided a solution for a particular case involving the latter group in Article 30 where it is stated that when the use of a source of water owned by a public judicial person or a public institution is needed by another public institution than it is recommended that they should try to reach a compromise and, in case they fail to do so, the matter should be decided through the arbritration of the Council of State. However, it has been declared by the Council of State that the rules and regulations did not permit the transfer of the rights on a source of water from one public institution to another on the bases of the justification, as expressed in their decision under combined legalopinion (No.53/7-53/23), to the effect that " the use of the expropriation powers of the public intitutions against each other would be to the detriment of the public services." It becomes evident, therefore, that the municipalities cannot provide water for towns in an economical way. But in view of the well established principle which requires that the planning of the development of water resources in a region should be carried out in such a way which will make it possible to meet all the needs of that region under the most economical solution it becomes necessary that the abundant water supply of a village in a case similar to the one mentioned above should be first transferred to the ownership of the State and that all the reasonable requirements of both village and the town should be met according to the solutions reached as the result of planning studies.

(b) The Articles 679 of the Turkish Civil Code on the ownership of springs

16. The text of this article is reproduced here as follows:
"A water spring is a complementary part of a land and its ownership is transferred together with the ownership of the land. The right to use a spring located in the lands of others is established by entering it in the cadastral records as a right of use. "The ground-waters are considered the same as springs." According to the provisions in this article all surface waters and ground-waters/the lands which are under ownership are considered to be the property of the owner of the land without giving any consideration to the sources, quantities, qualities, and the means of the replenishment of such waters.

17. But the surveys and studies made in recent times have shown that the origines of water springs and ground-waters are not related in any manner to the boundaries of the lands where they occur and that they actually originate under various factors which exert influences in areas much larger in size. Accordingly, it is reasonable to suggest that such waters should be considered to be belonging to the general public. Only then it may become possible to consider their development in a scale compatible with modern planning activities. Otherwise, only because of this particular article large difficulties will continue to prevent the development of these water resources for the public benefit as required by science and technology.

(c) Old water rights

18. In the old times some influencial and enterprising persons (a local chief or landowner) with the intention of personal gain have established ownership over water springs either by obtaining a decree from a Sultan, a document from a court, or by having such ownership entered in cadastral records, and thereby created rights over water springs as well as powers to regulate irrigation practices to be applied, In the light of the present laws and practices these are considered ancient rights but they are inviolable.

19. In areas where such ancient rights exist it is not permissible to carry out any development which may affect the quantity or the quality of the waters of these springs, such as by making excavations, planting trees, erecting buildings, etc. It is not possible to bring out local possibilities through a change in the status by obtaining a court order even if these living in the neighbourhood may be more in need of water than the present users, even if such need assumes a vital importance. Such old water rights are also inviolable at the present to actions of administrative authorities.

20. This system is also clearly detrimental to the development of water resources for the benefit of the public and it forms a serious obstacle in the way of the application of the principles of modern planning. As a matter of fact, when the origin

of these old waterrights and the nature of water resources are considered, it is seen that this system is also incompatible with the principles of social justice and that it needs intervention, change, and adjustment.

D. AFFECTED AND PROPOSED CHANGES IN THE LAWS OF TURKEY FOR FACILITATING SOCIAL AND ECONOMIC DEVELOPMENT.

(a) The new law on village water supplies.

21, This law was passed on 9 May 1960 under No. 7478. The article in it concerning "the allocation and distribution of drinking-waters" is related to our subject (Article 11.) In this article the Directorate General of State Hydraulic Works is authorised to allocate and distribute or alter the existing methods of allocation of all sources of water according to the drinking-water needs of villages and inhabited places. This article also contains a provision which clearly states that the existence of documents in the form of Sultans' decrees or court decisions giving the ownership of a source of water previously to one or more villages shall not affect the application of this article and that the application of expropriation measures is not needed.

22. The justification for this article was provided by the previous experience in which there occured many so-called "disputes on sources" under the then existing provisions which used to cause many villages and towns to remain without a source for water supply or used to create delays in the carrying out of projects. However, this article applies to the cases of villages only where it helped stop "disputes on sources", but the situation in towns and cities still continues as before.

(b) The new law on ground-water.

23. This law became effective on 16 December 1960 under No.167. It may be considered a step forward in preparing the way for the application of the principles for the rational development of water resources. The first article of this law states that the ground-waters are public property under the ownership of the State. The other articles state that ground-waters shall be under the control of the Directorate General of State Hydraulic Works, who is authorized the prevention of wasteful utilization of ground-water resources, the regulation and adjustment of their development, the guidance and regulation of the ground-water porjects undertaken by the private sector for the purpose of preventing investments in doubtful projects.

24. For bringing together in a single agency all the data concerning all the work performed on ground-water development, documentation, filling, and recording services were established. Regulations were prepared and put into effect beforehand for the utilization of ground-waters in order to prevent future disputes related to acquired rights and concessions for ground-water development which is advancing rapidly.

(c) Amendment made to Article 679 of the Turkish Civil Code

25. The text of the Article 679 of the Turkish Civil Code was given in Paragraph 16 above. The part of this article stating that "Ground-waters are considered the same as water springs," has been changed by the Amendment No. 138. dated 23 November 1960, to read, "Ground-water are generally among waters for the public benefit. Ownership of a land does not carry with it the ownership of the ground-waters beneath that land. The procedure and the degree according to which the owner of the land shall utilize ground-waters shall be determined by the applicable laws, " This change was made for preparing the way of the provision making ground-waters public property in the Law on Ground-waters which was being proposed at the time so that it would not be in contradiction with this article of the Civil Code.

26. The justification for considering ground-waters public property may be stated briefly as follows: In the recent times knowledge on ground-waters has undergone revision and expansion. It was established that voids and caverns in the layers of various underground formations contain ground-water either in the static state or in motion, and that whenever ground-water flows to the ground surface, either by pumping

or by artesian pressure, this action produces changes in the whole area covered by the volume of the ground-water storage. Because the extent of the area influencing the formation of a ground-water reservoir is much larger and has a more complicated shape than that of a watershed involved in the formation of surface streams, the ground-waters cannot be considered to be related to the Lands under which we might happen to find them, and they cannot be said to form "a complimentary part of the land " as was previously believed. They should, threfore, be accepted as being public property in every sense. As ~~the~~ result of this change made in the last part of Article 679 of the Civil Code it became possible to utilize ground-waters for meeting the public demand under equal conditions and to serve the development of the country.

(d) Porposed laws for the development of water resources.

27. At the present time there does not exist in our country a separate law on the development of water resources and only minor relevant provisions are included in various legislation. But it is required naturally that a legislative system conforming with the principles of modern development should be in effect in order to provide for the optimum utilization of water resources in the country and to use these resources for public benefit and economic growth.

28. Because such a legislative system is lacking at the present the situation may be described by citing the following disadvantages which result :

(i) Wasteful use of water,
(ii) Uneconomic development resulting from scattered and separate utilization,
(iii) Difficulties encountered for the utilization of water mainly for the public benefit with due regard to basic rights,
(iv) Inadequate application for the measures against pollution,
(v) Irresponsibility on the part of the users during operation and maintenance
(vi) The lack of an agency which is clearly authorized to carry out general planning for the development of water resources,
(vii) The lack of an inventory of public water resources,
(viii) Indefiniteness of the provisions contained in ancient water rights which result in many disputes.

29. For removing these disadvantages and deficiencies a draft was prepared for a proposed new law entitled: "Law on the Development of Water resources." When passed, this law will establish a legislative system under which it will be possible to meet the requirements of the people and help the advancement of the country by aiming at the utilization of the water resources in conformity with the democratic system established by the Constitution. This draft law provides that all water resources belong to the State because they are closely related to the interests of the public, and that private persons may be given the right to use resources when they receive a license from an authorized agency. It will then be possible to initiate and keep an inventory of water utilization.

30. Also, this draft law defines the responsabilities of the agencies and the users in order to provide for economic development and maintenance of hygienic qualities, and to make possible that the requirements of the public are met adequately. There are other provisions in it concerning the performance of public services such as quality control, pollution abatement, flood control, shore protection, operation and maintenance, etc. One of the other items is aimed to provide clarification on the authorities and responsibilities of the agencies in carrying out the planning work for the development of water resources and on the basic principles to be applied in these activities.

E. AGREEMENTS ON INTERNATIONAL STREAMS

(a) The article 109 of the Lausanne Traty (1923)

31. After the First World War the International boundaries drawn between Turkey and her neighbours Iraq and Syria resulted in the partition of certain streams whose upper and lower courses remained in the territory of a different country. The Lausanne Treaty, signed on 24 July 1923, contains an article which forms the basis for negotiating and settlement of international disputes which may arise during the development of such international streams. The text of this article is as follows:

"Article 109 - Unless there are provisions to the contrary,when, as a result of the establishment of a new boundary, the water regimes (canal systems, floods, irrigation, drainage , or similar matters) in a country become dependent on works constructed in the territory of another country, or the waters or water power originating in the territory of a country are to be used in the territory of another country by virtue of the practices established prior to the war, then the countries involved shall enter into an agreement which will guard the interests and acquired rights of each country and in case of failure to reach an agreement the matter shall be decided by arbitration."

(b) Agreement with U.S.S.R. on the Arpaçay (Harpasus) and Aras (Araxes) Rivers (1927)

32. This agreement,signed on 8 January 1927, contains provisions for the development of the streams which form each stream by the two countries in equal amounts. According to this agreement, the two countries concerned may each establish gauging stations for water level and discharge measurements, or they may establishe such stations jointly. If the necessity arises, each party may divert water for irrigation by constructing diversion-dams or may provide water storage by building dams. Each party may also construct hydro-electric power plants and flourmills and , provided that each party does not exceed his share of the water, they may each build pumping plants. It is mutually agreed that each party shall take appropriate measure on his side for the stabilization of the line of river bottom (talweg) which forms the common boundary. The definite location of any structure proposed by either party or jointly by both parties is to be selected and established by a Joint Commission. In the case of a disagreement in the Joint Commission the final decision is to be left to the Governments

33. The rational development of the Arpaçay and Aras Rivers to serve the peoples of the both countries concerned is progressing in accordance with the provisions of this agreement under the goodwill shown by both countries.

(c) Agreement with Greece on the Meriç (Evros) River (1934)

34. This agreement has a limited purpose consisting of the coordination of the hydraulic works to be built on both sides of the Meriç River, which forms the common boundary, for the stabilization of the line of the river bottom (talweg) by constructing works on both sides protection of the banks of the river. It is mutually agreed to construct longitudinal levees on both sides to protect the valley against floods

35. A development plan for the whole valley was prepared by the Harza Engineering Company of Chicago during 1950-52. The part of this plan involving flood control works was carried out by both countries since 1955 and the valley is now protected against this threat. However as the development of irrigation and drainage is not covered by this agreement, the parts of the plan concerning these objectives has been slow in realization.

(d) Protocol with Iran on the Sarısu River (1954)

" 36. The Sarısu River, a tributary of the Aras River,emerging from a small lake in the west of the town of Doğu Beyazıt in Turkey, enters Iran where it joins the Aras River. The protocol, signed by both countries in 1954, contains provisions on the establishment of joint gauging stations and on the principles concerning the storage and diversions of water.

(e)Proposed protocol with Syria on the Çağçağ Stream

37. This stream also emerges in Turkey. It enters Syria where it joins the Khabour which is a tributary of the Euphrates River. A joint protocol was drafted

with syria on 13 May 1952 in connection with the planning work by Turkey on an irrigation project covering 12.000 hectares.

38. The main items covered by this draft protocol consist of:

(1) Division of the waters of the Çağçağ Stream in equal amounts by the two countries,
(11) In case one of the countries involved is not prepared to utilize her share of water she will allow the other country to utilize that share,
(111) Both countries shall make studies on the conservation of water of this stream and on the possibilities of constructing a dam for storing winter flows.
(1V) It was recommended to hold joint discussions on the Asi (Orontes) and Afrin Rivers which flow into territories of both countries.

39. In the meeting which was held for preparing this draft protocol, the Turkish Delegation uphold the view that this draft protocol should become effective when an agreement is reached on the Asi and Afrin Rivers.

(f) Proposed protocol with Syria on the Asi (Orontes) River

40. The Asi River originates in Syria and forms the common boundary between Turkey and Syria before it enters Turkey where it flows in the southern part of the Amik Plain and reaches the Mediterranean Sea near the Samandağ Mountain.

41. Syria has engaged the services of NEDECO, a Dutch firm which prepared a plan providing for the development of this river where consideration was given to the projects in Syria, without mentioning the requirements, interests, and acquired rights of Turkey, and where some solutions were presented which were considered to be against the interests of Turkey.

42. During a conference held between the engineers from both countries the Turkish Delegation proposed the adoption of a draft protocol containing the following main items on the actions tobe taken in collaboration :

(1) Preparation of a development plan for the Asi River which will best serve the interets of the two countries and assist in their development,
(11) Determination of the necessary flood control measures,
(111) Review and revision of the NEDECO Plan by giving due consideration to the above items (1) and (11)
(1V) Determination of the feasibility of constructing a dam at the border for meeting the irrigation water requirements in the Amik Plan,
(V) Establishment of joint stream gauging and flood warning stations.

43. However the conference ended without reaching an agreement on such a protocol.

E. DEVELOPMENT POSSIBILITIES ON SOME INTERNATIONAL RIVERS

(a) The Euphrates River

44. It is well known that all the sources of this major river of historical record are in the territory of Turkey. After leaving Turkey it flows through Syria and Iraq, and joining with the Tigris River, they reach the Persian Gulf together. The following figures may serve to illustrate the general characteristics prevailing in the three sections along the course of the Euphrates belonging to the three countries:

	Turkey	Syria	Iraq
Annual Discharges (10^9 m^3)	23	24	29
Irrigable Areas (10^6 hectares)	8	0,7	1.36
Irrigation Requirements (10^9 m^3)	12	7.6	17
Power Potential (10^9 kwh)	17	-	-

45. Because the Euphrates River is literally of vital importance for the three countries through which it flows, it is absolutely necessary that these countries should work in cooperation in the development of this river. In view of the important economic factors involved in this development such a cooperation is the only rational way which is well supported by the teachings of science and technology. Another consideration of almost equal importance is the well established technical fact that planning and constructing dams and power plants by each neighbour in her territory when there is no comprehensive development plan covering the whole basin of a river is a situation whicl is bound to be uneconomical, and involve even the construction of some structures which are actually unnecessary.

46. In the case of the Euphrates River, studies for such a development plan will undoubtedly show that, due to the existing geographic and topographic conditions, the best solution would be reached by meeting the power requirements of the three countries by constructing one, or possibly two, dams with accompanying power plants up the river in Turkish territory. Such a solution would provide a reduction of up to 60 % in the costs which would have to be borne by the other countries. This solution, which is well supported by scientific and technological facts, is attainable by reaching an agreement in a joint conference among the three countries.

(b) The Meriç (Evros) River

47. The Meriç River emerges in Bulgaria and on its course it forms the common boundary between Turkey and Greece. In view of the first principle of modern planning which consists of taking into consideration all the resources and requirements existing in a river basin as a whole, work on this river should also be undertaken according to an agreement among the three countries.

48. It is believed that by holding the flood waves behind dams in the upper parts of the river the cost of the flood control works needed by the three countries could be reduced considerably, and would become more dependable, the drainage problems would be simpler, and storage of irrigation water would become possible. This arrangement would also be useful in the planning of power production and, possibly, in inland navigation by larger vessels.

49. Although it may be rather late by now, it is nevertheless worth while from the point of view of future development work on this river to recommend strongly that an agreement should be made among the three countries.

1170 E - Oct.1962 - 1,600